

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

David Michael Sutton,
Plaintiff,
vs.
Carolyn W. Colvin,
Defendant.

No. CV 13-1064-TUC-JAS (DTF)
ORDER

Pending before the Court is a Report and Recommendation issued by Magistrate Judge Ferraro. In the Report and Recommendation, Magistrate Judge Ferraro recommends denying Defendant's motion to remand for further proceedings (Doc. 17) and granting Plaintiff's request to remand for the award of benefits. As the Court finds that the Report and Recommendation appropriately resolved the issues, the objections are denied.¹

Accordingly, IT IS HEREBY ORDERED as follows:

(1) Magistrate Judge Ferraro's Report and Recommendation (Doc. 20) is accepted and adopted.

(2) Defendant's motion to remand for further proceedings (Doc. 17) is denied and

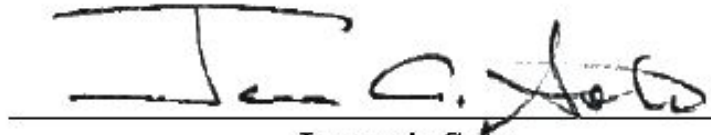
¹The Court reviews de novo the objected-to portions of the Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The Court reviews for clear error the unobjected-to portions of the Report and Recommendation. *See Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *see also Conley v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

1 Plaintiff's request to remand for the award of benefits is granted.

2 (3) This case is remanded for an award of benefits. The Clerk of the Court shall enter
3 judgment and close the file in this case.

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5 DATED this 22nd day of September, 2014.

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James A. Soto
United States District Judge